## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

YUSEF ALEXANDER, GEORGE BURGESS, : BRIAN CAMPBELL, LYLE JOHNSON, : KRISTEN BOSTICK, KASHIEM REED, and : AL SAMPSON, individually and on behalf of all others similarly situated, :

:

Plaintiffs,

: CIVIL ACTION

v. : NO. 1:11-CV-01578-SCJ

:

CYDCOR, INC.,

.

Defendant.

### <u>ORDER</u>

This case is before the Court for consideration of the Joint Motion for Approval of Collective Action Settlement [Doc. 61], and Plaintiffs' Unopposed Motion to Approve Award of Attorney's Fees and Costs [Doc. 62]. After reviewing the record and the joint submission of the parties, the Court enters the following Order.

"When employees bring a private action for back wages under the FLSA, and present to the district court a proposed settlement, the district court may enter a stipulated judgment after scrutinizing the settlement for fairness." *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1353 (11<sup>th</sup> Cir. 1982). Having

reviewed the Settlement Agreement (the "Agreement") [Doc. 61-1] executed by the parties, the Court finds that the settlement is fair, adequate, and reasonable. The Court finds that the Agreement was negotiated at arm's length by represented parties and is not the result of any collusion. The Court has also reviewed the unopposed request for approval of attorney's fees and costs in the amount stated in the Agreement and finds that both the amount of attorneys' fees and costs to be paid to Plaintiffs' counsel by Defendant as provided in the Agreement, and the hourly rate charged by Plaintiffs' counsel, are reasonable.

Therefore, the Joint Motion for Approval of Collective Action Settlement is hereby **GRANTED**, the settlement of the parties is hereby **APPROVED**, and the settlement is hereby entered and accepted as the stipulated **JUDGMENT** in this action.

Defendant shall tender to Plaintiffs all payments consistent with the terms of the Settlement Agreement, and the parties shall thereafter file a stipulation of dismissal with prejudice. The clerk is hereby directed to administratively close this case, subject to reopening for the purpose of settlement enforcement actions pursuant to the terms of the Settlement Agreement. Fees and costs shall be paid to Plaintiffs' counsel as set forth in the Settlement Agreement.

# **SO ORDERED** this 15th day of February, 2013.

s/Steve C. Jones The Honorable Steve C. Jones Judge, United States District Court

## Respectfully submitted this 13<sup>th</sup> day of February, 2013.

### /s/ C. Andrew Head

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